

**MICHIGAN DEPARTMENT OF EDUCATION
STATE SPECIAL EDUCATION ADVISORY COMMITTEE**

June 6, 2007

Hampton Inn, Okemos, Michigan

10:00 am — 3:00 pm

MINUTES

Delegates Present: Cindy Anderson, Beverly Baroni-Yeglic, Julie Daggett-Lawrence, Tina Densmore, Judith Dorsch-Backes, Darlene Heard-Thomas, Doris Higgs, Elaine High, Robert Hove, Maggie Kolk, Christopher Korbel, Shari Krishnan, Paul Kubicek, Tom Langdon, Jerry Oermann, David Overly, Chuck Saur, Jeff Siegel, Richard Spring, Debbie Squires, Susan Steinbacher, Chuck Stockwell, Barbara Stork, Claudia Werner, Julie Winkelstern, Michael Yocum

Alternates Present: Michelle Driscoll, Linda Keway

MDE Staff Present: Lydia Calderon, Fran Loose, Meredith Hines, Ann Omans, Jacquelyn Thompson, Joanne Winkelman, Pat West

Ex-Officio Present: Lynn Boza, Lori Irish for Sheri Falvay, Michele Robinson

Guests Present: Beth Alberti, Jeff Filzek, Teri Johnson, Sandi Koski, Valerie Lange, Wendy Minor, John Nader, Debs Roush, Patricia Rydahl, Bernie Travnikar, Kristina Zwick

SEAC Consultant: Sandi Laham

I. Call to Order

The meeting was called to order at 10:00 a.m.

II. Roll Call

Roll call was taken.

III. Introduction of Guests

The following guests were introduced: Beth Alberti, Lori Irish, Wendy Minor, Terri Johnson, Sandi Koski, Michelle Driscoll, Valerie Lange,

Jeff Filzek, Patti Rydahl, John Nader, Kristina Zwick, Debs Roush, Bernie Travnikar, Linda Keway

IV. Amend/Approve Proposed Agenda

(Note: To request an amendment, the purpose and desired outcome must be stated.)

The proposed agenda was approved.

V. Amend/Approve May 2, 2007 Minutes

The May 2, 2007 Special Education Advisory Committee minutes were approved.

VI. Public Comment - None

VII. Member Comment and Announcements

- Lynn Boza announced the Symposium on Postsecondary Opportunities on College Campus for Students with Intellectual/Cognitive Disabilities, November 4 and 5, 2007, Oakland University
- Judith Dorsh-Backes – Detroit Free Press article about Shari Krishnan and her son, and Mark Larson

VIII. Chairperson's Report

- Announcement of Election Results for SEAC 07-08 Chair, Beverly Baroni-Yeglic and Vice-Chair, Robert Hove
- Member Survey Results

6 Issues forms were received. Blank forms were placed at the tables for those present at the meeting to use.

June 28 meeting at the Okemos Comfort Inn at 10:00 a.m./Rules – any new members are welcome to attend. SEAC is mandated advisory group (both in state statute and in IDEA); at the state level the number of members is capped. IDEA is explicit in the role and function of SEAC. One of their functions is to publicly comment on policies and procedures proposed by the State Education Agency.

- Thank you for a wonderful year. I am very impressed with level of thinking of this year's SEAC members. Thanks for making this a wonderful experience.

Recognition of Out-going SEAC Members

Jacquelyn Thompson presented certificates to outgoing members Elaine High, Paul Kubicek, Jerry Oermann, Jeff Siegel, Claudia Werner, and Julie Winkelstern. Outgoing chairperson, Chuck Saur, was presented with a certificate of appreciation for his service as Chairperson of the SEAC.

Beverly Baroni-Yeglic presented Chuck with a gift as outgoing chairperson. Chuck Saur presented a group photo of 2006-07 SEAC to outgoing members.

IX. Department Updates

- Rules and Procedures are out for public comment.
- Ongoing efforts in implementing IDEA 2004 and the implementing regulations has caused us to rethink organization of office and skill sets needed.

State Performance Plan and Annual Performance Report provide the framework for implementation.

Indicators focused to improve outcomes for students – Autism START Project; MiBlisi, implementation of Positive Behavior Support and Literacy; MATR –

UNIVERSAL DESIGN; Family Support Initiative; Secondary Transition Services; and others.

Performance initiatives are being collected under one umbrella, will be scaled up, using a solid research base. University of South Florida has done meta-analysis of research literature. Beth Steenwyk will be the Director. Central Michigan Univ. will collaborate and incorporate Universal Design for preservice training for general ed and special education.

- Subcommittee reports tie into supporting the direction MDE wants to go, using research and harnessing abilities.

Fran Loose - PowerPoint Presentation on "Determinations", Section 616(d) of the law

- Excerpt from NCRRC presentation done in April.
- Based on information on State Performance Plan (SPP), OSEP will tell us whether we have achieved implementation. The state is also required to report on the status of school districts.
- State must use same categories as OSEP:
 1. Compliance indicators from SPP#12, on-time completion of IEPs by third birthday.
 2. Accuracy and timeliness of data submitted tied to SPP#20
 3. If noncompliance in a district, has it exceeded one year in getting it corrected.
 4. Audit findings.
 5. Other
- State can add other performance indicators, other information in the report.
- No specific timeline in statute or regulations as to when the Determinations must be made; data are from 2005-06 school year.
- Determination of LEAs will come after issuing the annual reports .
- Inten is to assist improvement at the local level.
- IDEA does not require state to report determinations.
- NCRRC working on the improvement planning kit to assist states.

Discussion:

Q. At this time there are 3 parallel improvement models. Concerned about How each integrates with data from CIMS, is there going to be an impetus to move the SPP components into CIMS?

A. Yes, that is the direction we are heading, integrate, consolidate, etc.

CIMS will be designed to align with the SPP. No reason to have so many plans. It is our intention to collapse the three plans into one.

Q. How will the determinations be made?

- A. Michigan will use OSEP's factors for making the determinations. SPP indicators and targets will also be used to make the determinations.
- Q. Can you connect the plan to the School Improvement Framework?
- If not, we are isolated.
- A. All IDEA work relative to compliance and performance is at the district level. NCLB work is at the building level. IDEA deals with individual kids. NCLB deals with groups of kids. Focus is not exactly the same. However, alignment is continuing.
- Q. Are you looking at ISD partnership to provide support and training to the local level?
- A. Yes.
- X. Reports from Ex-Officio Members - None
- XI. Ad Hoc Committee Reports - None
- XII. Subcommittee Reports
- High School Reform – Combined Groups 1 and 2
 - Overview of Recommendations was given.
 - Members are to provide feedback to Julie Winkelstern or Jan VanGasse by June 25.
 - Proactive and Early Intervention for All - Group 3
 - Framed around Universal Education vision of SBE. Reading First, MiBliSi, etc., contributed to emphasis on high expectations for every student, use of data based research and proven interventions.
 - Overview of recommendations was given.
 - Members are to provide feedback to Bob Hove by June 25.
- XIII. Information Items¹ - Information on Subcommittee Recommendations
- Recommendations were reviewed during the Subcommittee Reports.
- XIV. Action Items – Approval of Subcommittee Recommendations – June 28 Meeting
- XV. SEAC Learning: In-Depth Review of Proposed Administrative Rule Changes
- Two handouts were reviewed, the Strike/Bold format and a Summary Document.
- Write down questions as the presentation is made, Clarification and additional information type questions.

¹ Items requiring action by the SEAC are presented first as Information Items and then again as Action Items the following month.

- 1701 and 1701(a) are definitions – Assurance of Compliance for Part B and C of the IDEA
- Citations are changing, technical amendments, updating citations.
- 1724 deals with outstanding due process hearings filed under the old system. When those are completed, those rules can be rescinded. For now there are two sets of rules.
- All hearing rules, before 2006 were consolidated into one rule.
- 1771-1772, qualifications for Director and Supervisor of Special Education - eliminated requirement for one year previous experience at the supervisor/director level. There is still temporary approval required.
- Master's Degree or higher
- 1790, employing Superintendent had to make recommendation; was eliminated to match the process of today.
- 1810, changed to more updated language.
- 1832, 1861, deal with confidentiality. ISD plan assures that there are procedures for confidentiality.
- 1832, 1837, technical issues
- Rule 1738 and 1748
- P2-3, 340.7101B – student becomes their own “parent”, don’t need a surrogate. Can act on your own behalf. (Emancipated minor)
- P3. 1701v. 1725f. Foster parents can’t sign as parent at IEP meeting. More clarification later.
- LD, p4-p5. State can give districts the option of using severe discrepancy or not. Go to federal rules for guidance.
- 1738 & 1748, eliminate requirement that sxi, smi have 1150 clock hours, 230 days. This is to comply with the federal requirement. Can’t limit to specific categories or disabilities or set defined time, amount or duration. Must apply to each child individually.

Discussion: Definition of parent, sometimes they become their own parent. So under that definition they would not need a surrogate and could act on their own behalf.

Rule 1701v, 1725f, references surrogate. More clarification at the June 28 meeting.

Concerning Learning Disabilities, districts can have the option to use RTI, are not required to use “severe discrepancy” but they can. All are tied to the federal regulations.

1738 and 1748. Eliminate the requirement that all SMI/SXI programs have a 230 day school year and 1150 clock hours. This change does not take away services. It is to comply with the federal requirement. Decisions on services must be made on a child by child basis. School districts can still offer the programs. It has nothing to do with budget cuts

Questions (including questions from guests) with regard to Proposed Administrative Rules for Special Education (These questions and others will frame the work of SEAC on June 28)

- With regard to rule 340.1738, what prevents the rule language from being changed from the current 'shall' to 'may'?
- With regard to removing the 230 day programming requirement for students placed in programs for the severely cognitively impaired and severely multiply impaired, what is the rationale for making this change? Is the change being made only because of the cited federal language? What prevents Michigan from offering it as part of the Administrative rules as opposed to 'mandating' it?
- To what extent is extended school year programming (ESY) offered to students eligible for special education under different eligibility categories? What provisions are there to make the language regarding extended school year more explicit for all programs and services?
- Michigan proposes to use the federal rule with regard to ESY. Federal rules say that determination of ESY is based on state standards. What are the Michigan standards for ESY determination?
- What criteria be used to determine ESY? To what extent will case law be used to determine ESY?
- The current MI rule with regard to whom receives ESY and how those services are provided is very prescriptive. Will there be more flexibility with the length, duration and access to ESY services if the prescriptive language is removed?
- How will removal of the current language with regard to ESY for students identified as SXI and SCI be helpful to them?
- Do we need guidelines for determining ESY vs. rules language?
- The Michigan rules have worked for students served in SXI and SCI programs for 30 years. Why these changes now given our history of services?

XVI. Future Agenda Considerations

XVII. Process Check

XVIII. Adjournment 2:00 p.m.

**Special Education Advisory Committee
Executive Committee**

June 6, 2007

8:30 a.m.

Hampton Inn, Okemos, Michigan

Minutes

Executive Committee Members Present: Beverly Baroni-Yeglic, Robert Hove, Tom Langdon, Julie Daggett-Lawrence, Chuck Saur, Jerry Oermann, David Overly, Julie Winkelstern

MDE Members Present: Meredith Hines, Ann Omans, Jacquelyn Thompson

SEAC Consultant: Sandi Laham

1. Review of Today's Agenda
 - a. Invited Presentations for SEAC Learning
 - In-Depth Review of Proposed Administrative Rule Changes
 - Have table groups generate questions and clarifications they need for the June 28 special meeting.
 - b. Chairperson's Report
 - Announced Beverly Baroni-Yeglic as New Chair/ Robert Hove as new Vice-Chair Election Results
 - Member Survey – Announced that only 6 were received and that survey sheets will be available at the tables.
 - c. State Department Reports
 - Updates
 - Fran Loose will do Determination Awareness
 - Jacquelyn Thompson will announce redesign of the State Improvement Grant
 - Recognition of Out-going SEAC Members, Jacque will present certificates to those whose term is done, Chuck will present a group photo
 - d. Information Items¹ - Information on Subcommittee Recommendations

- Request that comments be given to chair of subcommittees by June 25.
- e. Action Items – Approval of Subcommittee Recommendations for June 28 Special Meeting

2. Future Agenda Development

- June 28 Special Meeting for Developing SEAC's Rules Comment
- Annual Report to the State Board
- Dates for 07-08 Executive Committee Planning Meetings –

July 19, 1:00 - 4:00

August 7, 9:00 – 3:00

August 16, 9:00 – 3:00

Retreat: September 16-17, 2007

3. Other Issues

- Member Survey will be given to the new Executive Committee
- 2007-08 New Executive Committee Meet with Present Executive Committee
- Begin to Think About Next Year's Priorities/Retreat

4. Executive Committee Debrief

- Discussed use of the conference phone for member
- Discussed format for SEAC Public Comment
- Room Setup for the Comfort Inn on June 28



***Next Mailing Date from OSE-EIS:
June 15, 2007 Materials to Printer
June 18, 2007 Mailing Day!***

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